GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:364
ANSWERED ON:19.07.2016
Modernisation of Jails
Azad Shri Kirti (JHA);Kumar Shri Kaushalendra;Kumar Shri P.

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government is aware that most of the jails are overcrowded and the inmates are living in a pitiable condition in the country and if so, the action taken in this regard;

(b) whether the Government provides assistance for modernisation jails in the country;

(c) if so, the total funds granted/utilised on modernisation of jails and completion of various related projects during each of the last three years and the current year, Project and State-wise;

(d) whether the Government proposes to implement the second phase of the modernisation programme on prison reforms, if so, the details thereof and the total funds granted to the States in the second phase, State-wise including Bihar; and

(e) the steps taken by the Government in coordination with the States to tackle the problem of overcrowding in jails and to improve the condition of jails?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (d): As per data compiled by the National Crime Records Bureau (NCRB) at the end of 2014, there were 4,18,536 inmates in the jails of the country out of the capacity of 3,56,561 inmates and the present rate of overcrowding is 117.4%. This rate was 118.4% in 2013.
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'Prisons' is a State subject under List II of the Seventh Schedule to the Constitution and, therefore, prison administration is primarily the responsibility of the State Governments.
However, the Government of India has supported the States for prison modernization during 2002 to 2009 under the scheme of Modernisation of Prisons. Details of funds released to the States under the scheme of Modernization of Prisons are given in the Annexure-I. In addition funds under the Thirteenth Finance Commission have also been provided to eight States during 2011-2015 for upgradation of prisons, the details are given in the Annexure-II.
(e) The Government has also taken various measures to reduce overcrowding in the prisons-
(i) An advisory has been issued by the Government of India on 17.1.2013 to the States/UTs regarding use of section 436A of the Cr P.C. to reduce overcrowding of prisons.
(ii) The Union Home Minister has written to Chief Ministers/LG of States/UT on 3.9.2014 regarding use of section 436A of Cr P.C. to reduce overcrowding in jails of the country.
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(iii) Director General (Prisons)/Inspector General (Prisons) of all States/UTs have been requested on 22.9.2014 to take necessary action to comply with the order dated 5.9.2014 of the Hon'ble Supreme Court in the matter of Bhim Singh Vs Union of India & Others.
(iv) An advisory dated 27.9.2014 has been issued by the Government of India to the States/UTs on reckoning half-life of time spent in judicial custody of Undertrial prisoners under Section 436A of Cr P. C.
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